MOTION: To recommend denial of the petition in accordance with the Department of Planning and Zoning recommendation.

ACTION: Recommended denial; Vote 5 to 0.

On December 15, 2016, the Planning Board of Howard County, Maryland, considered the petition of Olenka Stasyshyn for a Zoning Regulation Amendment to Amend Section 131.0 to establish a Conditional Use category - School, Instructional for the teaching of music, dance, martial arts, yoga and/or meditation practice in the R-20 District.

The Planning Board considered the petition, the Department of Planning and Zoning (DPZ) Technical Staff Report and Recommendation, and the comments of reviewing agencies. DPZ recommended denial of the petition, siting that the proposed amendments are inconsistent with similar use categories, lack protection for adjacent residential properties, and sufficient opportunity exists for the proposed use through the Home Occupation Conditional Use category.

The Petitioner, represented by Thomas Coale, stated that are numerous residential properties within the County adjacent to major roadways and commercial zoning districts that are no longer viable as residential uses. He emphasized that the proposed use allows light health and wellness uses that are appropriate for transitional parcels adjacent to commercial zoning districts. He stated that the R-20 zoning district was suggested because it requires larger lots that can accommodate development requirements such as parking and buffers. Furthermore, he indicated that the inclusion of the activities identified in the proposed use in the commercial athletic facility and commercial school land use categories is not appropriate, since they do not have the same level of impact. Additionally, he claimed that commercial rental rates price out the activities identified in the proposed use, therefore, conversion of existing residential buildings in transitional areas is a viable option for these businesses.

Board Discussion and Recommendation

In work session, the Planning Board acknowledged that there may be properties in R-20 that are appropriate for the proposed use, but were opposed to allowing it in all R-20 zoned area. A board member stated that converting residential buildings into businesses has not produced a desirable result and the practice should not be continued. The Board expressed concern regarding parking and traffic impacts the proposed use
may have on adjacent residential properties. A board member stated that there are numerous commercial
properties available in the County that can accommodate the proposed use.

Erica Roberts made the motion to recommend approval of the petition in accordance with the
Department of Planning and Zoning recommendation. Delphine Adler seconded the motion. The motion
passed by a vote of 5 to 0.

For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 2nd day of
March, 2017, recommends that ZRA-171, as described above, be DENIED.